

LAW OFFICES OF
McGINN & GIBB, PLLC
A PROFESSIONAL LIMITED LIABILITY COMPANY
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW
8321 OLD COURTHOUSE ROAD, SUITE 200
VIENNA, VIRGINIA 22182-3817
TELEPHONE: (703) 761-4100
FACSIMILE/DATA: (703) 761-2375; 761-2376
E-MAIL: MCGINNGIBB @ AOL.COM

RECEIVED
CENTRAL FAX CENTER
APR 15 2005

SEAN M. MCGINN
PHILLIP E. MILLER†
FREDERICK E. COOPERRIDER†
JAMES E. HOWARD†
JAMES N. DRESSER
JOHN J. DRESCH
SCOTT M. TULINO
J. BRADLEY WRIGHT†
†MEMBER OF BAR OTHER THAN VA

ANNAPOLIS, MD OFFICE
FREDERICK W. GIBB, III
MOHAMMAD S. RAHMAN†
PAMELA M. RILEY†

April 15, 2005

VIA FACSIMILE

(Total No. of Pages Transmitted: 16)

To: Examiner Joshua A. Lohn
Group Art Unit: 2114
U.S.P.T.O.

Facsimile No.: 703-872-9306

From: John J. Dresch, Esq.

Facsimile No.: (703) 761-2375 or 76

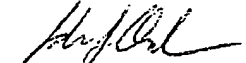
Re: Enclosed Preliminary Amendment under 37 C.F.R. § 1.114 and Excess Claim Fee
Payment Letter
U.S. Patent Application No.: 09/929,143
Attorney Docket No.: YOR920010067US1
Our Reference: YOR.271

Dear Examiner Lohn:

Enclosed for filing is a Preliminary Amendment under 37 C.F.R. § 1.114 after the filing of an RCE on March 3, 2005, and an Excess Claim Fee Payment Letter, in the above-referenced application.

Thank you in advance for your kind consideration on this case.

Very truly yours,


John J. Dresch, Esq.
Registration No. 46,672

JJD/SMM
Enclosure

YOR.271

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Richard HARPER, et al.

Serial No.: 09/929,143

Group Art Unit: 2114

Filing Date: August 15, 2001

Examiner: Joshua A. Lohn

For: METHOD AND SYSTEM FOR PROACTIVELY REDUCING THE OUTAGE TIME
OF A COMPUTER SYSTEMHonorable Commissioner for Patents
Alexandria, VA 22313-1450**EXCESS CLAIM FEE PAYMENT LETTER**

Sir:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.

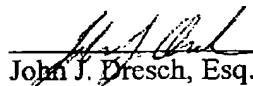
	<u>AFTER AMENDMENT</u>	<u>PREV. PAID FOR</u>	<u>EXTRA CLAIMS PRESENT</u>	<u>RATE</u>	<u>FEE DUE</u>
Total Claims	40 -	39	= 1	x \$ 50.00	\$ 50.00
Indep. Claims	13 -	12	= 1	x \$200.00	\$ 200.00

TOTAL ADDITIONAL FEE FOR THIS AMENDMENT**\$ 250.00**

Please charge Assignee's Deposit Account No. 50-0510 the amount of \$250.00 to cover the excess claim fees. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: April 15, 2005
John J. Dresch, Esq.
Registration No. 46,672
Sean M. McGinn, Esq.
Registration No. 34,386**McGinn & Gibb, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254**CERTIFICATE OF TRANSMISSION**

I certify that I transmitted via facsimile to (703) 872-9306 the enclosed Excess Claim Fee Payment Letter to Examiner Joshua A. Lohn on April 15, 2005.


John J. Dresch, Esq.
Registration No. 46,672

YOR.271

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Richard HARPER, et al.

RECEIVED
CENTRAL FAX CENTER

Serial No.: 09/929,143

Group Art Unit: 2114

APR 15 2005

Filing Date: August 15, 2001

Examiner: Joshua A. Lohn

For: METHOD AND SYSTEM FOR PROACTIVELY REDUCING THE OUTAGE TIME
OF A COMPUTER SYSTEMHonorable Commissioner for Patents
Alexandria, VA 22313-1450**EXCESS CLAIM FEE PAYMENT LETTER**

Sir:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.

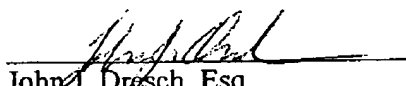
	<u>AFTER AMENDMENT</u>	<u>PREV. PAID FOR</u>	<u>EXTRA CLAIMS PRESENTRATE</u>	<u>FEE DUE</u>	
Total Claims	40 -	39	= 1	x \$ 50.00	\$ 50.00
Indep. Claims	13 -	12	= 1	x \$200.00	\$ 200.00

TOTAL ADDITIONAL FEE FOR THIS AMENDMENT**\$ 250.00**

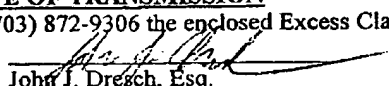
Please charge Assignee's Deposit Account No. 50-0510 the amount of \$250.00 to cover the excess claim fees. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: April 15, 2005
John J. Dresch, Esq.
Registration No. 46,672
Sean M. McGinn, Esq.
Registration No. 34,386**McGinn & Gibb, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254**CERTIFICATE OF TRANSMISSION**

I certify that I transmitted via facsimile to (703) 872-9306 the enclosed Excess Claim Fee Payment Letter to Examiner Joshua A. Lohn on April 15, 2005.


John J. Dresch, Esq.
Registration No. 46,672

YOR.271

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Richard HARPER, et al.

Serial No.: 09/929,143

Group Art Unit: 2114

Filing Date: August 15, 2001

Examiner: Joshua A. Lohn

For: METHOD AND SYSTEM FOR PROACTIVELY REDUCING THE OUTAGE TIME
OF A COMPUTER SYSTEMHonorable Commissioner for Patents
Alexandria, VA 22313-1450**PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.114**

Sir:

In response to the Office Action dated December 14, 2004, and further to the RCE filed on March 3, 2005, please amend the above-identified application as follows:

INTRODUCTORY COMMENTS

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 12 of this paper.

RECEIVED
CENTRAL FAX CENTER
APR 15 2005